

10/026914 OF 1002

SHANKS & HERBERT

Intellectual Property Advocates

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July 10, 2002

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Re: U.S. Patent Application
Serial No.: 10/026,914; Filed: December 27, 2001
For: Allergy Vaccines Containing Hybrid Polypeptides
Inventor(s): Linhart, et al.
Docket No.: 0273-0006

Sir:

In response to the Notice to File Missing Parts of Application – Filing Date
Granted, Applicant(s) submit(s) the following documents for appropriate action by the
U.S. Patent and Trademark Office.

1. Response to Notice to File Missing Parts;
2. Copy of Notice to File Missing Parts of Nonprovisional Application;
3. 4-Month Extension of Time Under 37 C.F.R. §1.136;
4. A Substitute Application comprising: 17 pgs. of Specification in compliance with the Notice; 2 pgs of claims (19 claims); a one page Abstract; 7 pgs of Drawings (7 Figs.);
5. An Assignment Cover Sheet;
6. One Executed Assignment
7. One Executed Combined Declaration and Power of Attorney;
8. Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825;
9. Submission of Sequence Listing;
10. A paper copy of Sequence Listing;
11. One CRF of Sequence Listing;
12. Our check in the amount of \$1,353.00 to cover:
 - \$ 370.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)
 - \$ 65.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
 - \$ 40.00 Assignment recordation fee(s) under 37 C.F.R. § 1.21)
 - \$ 720.00 For extension fees under 37 C.F.R. § 1.136
 - \$ 18.00 2 Extra claims
 - \$ 140.00 for multiple dependent claims
13. One (1) Return Postcard

It is respectfully requested that the attached prepaid postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any

West Coast Office
4350 La Jolla Village Drive, Suite 330, San Diego, Ca 92122
Telephone: (858) 597-6688 Facsimile: (858) 597-6682

SHANKS & HERBERT

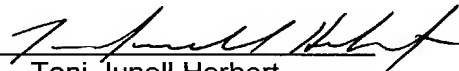
10 July, 2002

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overpayment, to our Deposit Account No. 50-0622. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 50-0622.

Respectfully submitted,

SHANKS & HERBERT

By 
Toni-Junell Herbert
Reg. No. 34,348

Date: 7/10/02

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/026,914	12/27/2001	Birgit Linhart	0273-0006

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CONFIRMATION NO. 6890

FORMALITIES LETTER



OC000000007415855

Date Mailed: 02/04/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/15/2002 TBESHAN1 00000054 10026914

01 FC:201	370.00 OP
02 FC:203	18.00 OP
03 FC:204	140.00 OP
04 FC:205	65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$316.
 - \$36 for 2 total claims over 20.
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1186.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- ✓ A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- ✓ This application does not contain a statement that the content of the sequence listing information recorded

in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY